

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DARIO CARLON PACHECO,

Defendant.

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Case No. 8:07CR219

ORDER

This case is before the court on the defendant's Motion to Review Order of Detention (#20). The defendant requests the court to reopen the issue of detention and proposes that the defendant be released to a third-party custodian. The motion is denied without hearing.

After review of the June 21, 2007 Amended Pretrial Services report and the court's June 25, 2007 Detention Order (#12), I find that the proposed release of the defendant to a third-party custodian fails to address the court's concerns. The placement does not address the defendant's significant criminal history, which includes convictions for felony aggravated assault, obstruction, assault-domestic violence, and interference with judicial proceedings. Additionally, the proposed plan of release fails to provide information to the court that rebuts the presumption of detention under 18 U.S.C. § 3142 (e). Therefore,

IT IS ORDERED:

The defendant's Motion to Review Order of Detention (#20) is denied without hearing.

Dated this 1st day of August 2007.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge